

## 48A C.J.S. Judges § 173

Corpus Juris Secundum | August 2023 Update

### Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D.; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

### VI. Authority, Powers, and Duties

#### G. Territorial Limitations

## § 173. Extent and limits of authority of visiting judge—Over cases pending in home court

[Topic Summary](#) | [References](#) | [Correlation Table](#)

### West's Key Number Digest

West's Key Number Digest, [Judges](#)  30

**Statutory provisions in some states expressly authorize a judge, while temporarily assigned to hold court in another judicial district, to exercise or retain jurisdiction over cases pending in his or her own district.**

Statutory provisions in some states expressly authorize a judge, while temporarily assigned to hold court in another judicial district, to exercise or retain jurisdiction over cases pending in his or her own district.<sup>1</sup> Under a statutory provision so authorizing, a judge may exercise jurisdiction over cases pending in his or her own district while holding court in another district, but not outside the term of the court in his or her own district,<sup>2</sup> except for the correction of merely clerical errors.<sup>3</sup>

A statutory amendment providing that a resident judge who appoints receivers in an action will retain jurisdiction of the original action while holding court in another judicial district has been held to apply to pending actions so that a judge who elects to maintain supervision of a receivership action while holding court in another district is not divested of jurisdiction for lack of statutory authority.<sup>4</sup>

Westlaw. © 2023 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

### Footnotes

- <sup>1</sup> Ga.—[Morgan v. Western Auto Supply Co.](#), 102 Ga. App. 648, 117 S.E.2d 253 (1960).
- N.C.—[Lowder v. All Star Mills, Inc.](#), 301 N.C. 561, 273 S.E.2d 247 (1981).
- For detailed discussion of the authority, powers, and duties of substitute or special judges, see §§ [364](#) to [374](#).

- 2 N.C.—*Weston v. Hasty*, 260 N.C. 444, 133 S.E.2d 66 (1963).
- 3 S.C.—*Barnett v. Piedmont Shirt Corp.*, 230 S.C. 34, 94 S.E.2d 1 (1956).
- 4 N.C.—*Lowder v. All Star Mills, Inc.*, 301 N.C. 561, 273 S.E.2d 247 (1981).

---

End of Document

© 2023 Thomson Reuters. No claim to original U.S. Government Works.